

REMARKS

Responsive to the Office Action mailed October 18, 2007, Applicant thanks the Examiner for his guidance and patience. Further, Applicant thanks the Examiner for his comments in the personal interview on April 27, 2007. All of the Examiner's comments and suggestions are very much appreciated. In the present response, the Applicant has Claims 11 and 13, and canceled claims 15 and 17. Therefore, claims 11, 13, 14, 16 and 18 are pending.

Claim Rejections - 35 USC §112

The Examiner has rejected Claim 11, 13, 14, 16 and 18 under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has canceled claim 15 and therefore the 35 U.S.C. 112 is moot.

Claim Rejections - 35 USC §103

The Examiner has rejected Claims 11, 13, 14, 16, and 18 as being unpatentable over Piretti (U.S. Patent No. 3,856,147) in view of Kent et al. (U.S. Patent No. 3,288,301) to Mayr (U.S. Patent 4,253,268) and Blankenberg (U.S. Patent No. 5,466,057).

Piretti does not teach, suggest, or provide any motivation for an "elongated member extending between adjacent corners" as claimed in the Applicant's amended claims

Piretti discloses Panels described in paragraph 3, lines 3-8:

"..the main structural component pieces of furniture according to this invention are panels which are constituted of rectangular plates 1, the widths of which are of a standard value, while their length depends on that of the modular prismatic elements to be made."

Panels provide structural support for Piretti's arrangement. Piretti's panels contrast with the structural components of the Applicant's amended claim's st which are the elongated members. In the Applicant's amended claims, the elongated members attach to panel covers by way of a cavity (at least one elongated member cavity) to receive the elongated member to build and support the structure, said cavity and support means are absent in Piretti. One example of

the utility of the panel covers receiving the elongated members is that the size of the elongated members may be adjusted to form a structure that fits in any space, may easily be expanded, and whose single box/rectangle size is not predefined or restricted as it is in Piretti due to a predefined panel size. The elongated members, for example, may be 2x4's that may be cut to any length to form a structure of any size. The elongated members are central to the structure and function of the Applicant's claims and this feature is clearly not taught, suggested, or motivated by Piretti.

Blankenburg adds nothing to Piretti in arriving at the Applicant's amended claims

Blankenburg teaches a complicated system comprising many pieces to form a structure, including panels, of a predetermined size limiting the possible configuration and size of the structure. Where as the Applicant's amended claims provide a simple arrangement that is not limited in size and configuration due to the flexible size of the elongated members. The snap together arrangement of the Applicant's Claims is also a simple system complexity

Furthermore, the attachment mechanism of Blankenburg does nothing to bridge the gap between the Applicants claims and Piretti. The Examiner on page 3, lines 13-17 of the Office Action, describes the short comings of Piretti:

“The difference being that Piretti does not disclose the catch of the first corner cover snaps into engagement with the latch of the second corner cover in the transverse direction of the elongated deformable slot walls of said catch, and the panel cover further comprising mounting guides having at least one elongated cavity to receive an end of an elongated member.”

The Examiner admits that Piretti does not do this, but neither does Blankenburg. Blankenburg does not disclose wherein the catch of the first corner cover snaps into engagement with the latch of the second corner cover. In Blankenburg the panel edges are latches and the “elongated edge connector 30” is the catch. Therefore, Blankenburg actually reads wherein the panels snap into engagement with a catch of an “elongated edge connector,” doing nothing to arrive at the functionality of the Applicant's amended claims.

The Examiner then describes on page 4, Lines 7-9, of the Office Action that Blankenburg:

“teaches the idea of providing a panel cover 30 with mounting guides having at least one elongated cavity to receive an end of an elongated member, such as shown in Fig 12, in order to enable the length or depth of the apparatus to be doubled by connecting the panel covers 30 in a length-wise expansion.”

Blankenburg, in Fig 12, shows “elongated edge connector 30,” that holds the panel covers together at a cross shape that runs the lengths of the entire panel edges and includes an elongated cavity, running the length of and parallel to a panel’s edge, for receiving the edge of a panel, not an elongated member. The elongated cavity of Blankenburg is to receive a panel, not an end of an elongated member as set forth in the applicants claims.

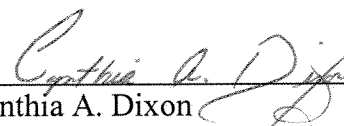
Conclusion

It is respectfully submitted that all of the Examiner’s objections have been successfully traversed and that the application is now in order for allowance. Accordingly, reconsideration of the application and allowance thereof is courteously solicited.

The Commissioner is hereby authorized to charge any required fee in connection with the submission of this paper, now or in the future, or credit any overpayment to Account No. **50-2638**. Please ensure that the Attorney Docket Number **070288-020600** is referred to when charging any payments or credits for this case.

Respectfully submitted,

Date: February 11, 2008


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